IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.252 OF 2007
IN
CRIMINAL APPEAL NO.215 OF 2007

Ravindra Rajkumar Kacher & Anr. ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Ms.Sharmila Kaushik for applicant.

Ms.S.V. Gajre, A.P.P. for respondent.

CORAM : J.H.BHATIA, J.

DATED : 15TH MARCH, 2007.

P.C. :-

Heard Ms.Kaushik, learned counsel for the applicant and Ms.Gajre, learned A.P.P. for the State. Perused the relevant record.

2. Applicant was convicted for the offences punishable under section 392, 452, 342 r/w. 34 of I.P.C. and was awarded rigorous imprisonment for 7 years and fine of Rs.500/- for offence punishable under section 392 r/w. 34 of the I.PC.. Different sentences were awarded for remaining offences. Applicant has preferred an appeal challenging his conviction and sentence. Appeal is admitted. Applicant by this application seeks to be released on bail pending final

hearing and disposal of the appeal.

3. Learned counsel for the applicant pointed out that originally in the FIR it was alleged that property worth Rs.78,000/- was stolen away. Lateron, the complainant informed the police that the jewellery was imitation jewellery and total value was just Rs.17,000/-. There are omissions in the evidence of the complainant, who is a star witness. The applicant was on bail during the trial and there is nothing to show that he has misused the bail.

4. Therefore, applicant is hereby granted bail on the same terms and conditions as before the trial Court, subject to executing fresh bail bond and depositing the fine amount.

(J..H.BHATIA, J.)